



Patent Docket P0894P1D2C4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Joffre Baker et al.	Group Art Unit: 1647 Examiner: Hayes, Robert Clinton
Serial No.: 09/896,856	EXPRESS MAIL LABEL NO.: <u>EV 016 019 000 US</u>
Filed: 29 June 2001	DATE OF DEPOSIT: <u>MARCH 4, 2003</u>
For: CARDIAC HYPERTROPHY FACTOR AND USES THEREFOR	

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M. J.
3/19/03

RESPONSE TO NON-FINAL OFFICE ACTION UNDER 37 C.F.R. § 1.111

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

This document is responsive to the Office Action mailed September 5, 2002, (Paper No. 8) for which a three month period for response was given. This document is timely filed with a petition for a three-month extension of time and fees making it due on or before March 5, 2003. In view of the discussion provided, reconsideration and allowance are respectfully requested.

In the Claims:

Claims 35-40 are canceled without prejudice to later prosecution. Claims 31-34 and 41-42 are pending in the application.

Please amend claims 31, 41-42 to read as follows:

31. A method of increasing survival of a neuron, comprising administering to a neuron a survival-promoting amount of an isolated biologically active polypeptide having an amino acid sequence identity of at least 70% to SEQ ID NO: 3 or SEQ ID NO:8, excluding a rat cardiotrophin-1.

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